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13 Co-Lead Counsel for Plaintiffs

E-FILED - 2/6/08

14 [Additional counsel appear on signature page.]

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 In re FINISAR CORP. DERIVATIVE)
19 LITIGATION)

20 This Document Relates To:)

21 ALL ACTIONS.)
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Master File No. C-06-07660-RMW

STIPULATION AND [] ORDER
REVISING BRIEFING SCHEDULE FOR
SECOND AMENDED CONSOLIDATED
COMPLAINT AND DEFENDANTS'
RESPONSE THERETO

1 WHEREAS, further to this Court's Order Granting Defendants' Motions to Dismiss of
2 January 11, 2008, plaintiffs' Second Amended Consolidated Complaint is due to be filed on January
3 31, 2008;

4 WHEREAS the parties have met and conferred and agreed to meet to discuss avenues of
5 possible resolution of the action;

6 WHEREAS, the parties have met and conferred and agree that plaintiffs shall file a Second
7 Amended Consolidated Complaint by no later than February 29, 2008; and

8 WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial
9 efficiency, and will not cause prejudice to any party.

10 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by plaintiffs and defendants,
11 through their respective counsel of record subject to approval of the court as follows:

12 1. Plaintiffs shall have until no later than February 29, 2008 to file and serve a Second
13 Amended Consolidated Complaint which will supersede all existing complaints filed in these
14 actions.

15 2. Defendants shall answer or otherwise respond to the Second Amended Consolidated
16 Complaint no later than April 14, 2008.

17 3. In the event that defendants file and serve any motion directed at the Second
18 Amended Consolidated Complaint, plaintiffs shall file and serve their opposition no later than May
19 29, 2008. Defendants shall file and serve their reply no later than June 30, 2008.

20 IT IS SO STIPULATED.

21 DATED: January 24, 2008

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Co-Lead Counsel for Plaintiffs

I, Aelish M. Baig, am the ECF User whose ID and password are being used to file this
STIPULATION AND [PROPOSED] ORDER REVISING BRIEFING SCHEDULE FOR SECOND
AMENDED CONSOLIDATED COMPLAINT AND DEFENDANTS' RESPONSE THERETO. In
compliance with General Order 45, X.B., I hereby attest that Joseph E. White has concurred in this
filing.

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Additional Counsel for Plaintiffs

1 DATED: January 22, 2008

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4 /s David A. Priebe

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Attorneys for Defendants

9 I, Aelish M. Baig, am the ECF User whose ID and password are being used to file this
10 STIPULATION AND [PROPOSED] ORDER REVISING BRIEFING SCHEDULE FOR SECOND
11 AMENDED CONSOLIDATED COMPLAINT AND DEFENDANTS' RESPONSE THERETO. In
12 compliance with General Order 45, X.B., I hereby attest that David A. Priebe has concurred in this
13 filing.

14 DATED: January 22, 2008

THE HOYLE LAW FIRM
LAWRENCE F. HOYLE, JR.

16
17 /s Lawrence F. Hoyle, Jr.

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23 STIPULATION AND [PROPOSED] ORDER REVISING BRIEFING SCHEDULE FOR SECOND
24 AMENDED CONSOLIDATED COMPLAINT AND DEFENDANTS' RESPONSE THERETO. In
25 compliance with General Order 45, X.B., I hereby attest that Lawrence F. Hoyle, Jr. has concurred in
26 this filing.

* * *

ORDER

Having considered the parties' Stipulation, and good cause appearing, the Court hereby GRANTS the parties' Stipulation. Motion hearing is hereby reset to July 18, 2008 @ 9:00 am.

IT IS SO ORDERED.

DATED: 2/6/08

Ronald M. Whyte

THE HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE

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I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 24, 2008.

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Mailing Information for a Case 5:06-cv-07660-RMW

Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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